

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

George D. Metz, II,)	C/A No. 8:23-cv-01159-DCC-KFM
)	
Plaintiff,)	<u>ORDER</u>
)	
vs.)	
)	
City of Easley South Carolina,)	
)	
Defendant.)	
_____)	

This is a civil action filed by a *pro se* non-prisoner. Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

TO THE PLAINTIFF:

This case is not in proper form for service at this time. **If the plaintiff does not bring this case into proper form within the time permitted by this Order, this case may be dismissed for failure to prosecute and failure to comply with an order of this Court under Rule 41 of the Federal Rules of Civil Procedure.**

Under General Order *In Re: Procedures in Civil Actions Filed by Non-Prisoner Pro Se Litigants*, C/A No. 3:07-mc-5015-JFA (D.S.C. Sept. 18, 2007), the undersigned is giving the plaintiff **twenty-one (21) days** from the date this order is entered (plus three days for mail time) to:

1) The court is in receipt of your request to proceed *in forma pauperis* (doc. 3). The court does not have enough information to rule on the motion at this time. The plaintiff is ordered to submit a fully completed AO 239, Application to Proceed in District Court Without Prepaying Fees or Costs (long form). The plaintiff should direct attention to answering all questions accurately, including, but not limited to, assets and value of assets.

2) Complete, sign, and return a Form USM-285 for each defendant listed in this case. **Only one defendant's name and street address should appear on each form.** The defendant's name and **street** address should be placed in the spaces preceded by the words, "SERVE AT." The plaintiff's name and address should be placed in the space designated, "SEND NOTICE OF SERVICE COPY TO . . .," and the plaintiff should sign where the form requests, "Signature of Attorney or other Originator" The plaintiff must provide the defendant's complete **street** address on the form (not a post office box address). The plaintiff must provide, and is responsible for, information sufficient to identify the defendant(s) on the Form(s) USM-285. The United States Marshal cannot serve an inadequately identified defendant, and unserved defendants may be dismissed as parties to this case. **Blank forms are attached for the plaintiff's use.**

No process shall issue until the items specified above have been reviewed by the assigned Magistrate Judge.

The plaintiff must place the civil action number listed above C/A No. 8:23-cv-01159-DCC-KFM) on any document provided to the Court pursuant to this Order. **Any future filings in this case must be sent to the address below: (250 East North Street, Room 2300, Greenville, South Carolina 29601).** All documents requiring the plaintiff's signature shall be signed with the plaintiff's full legal name written in the plaintiff's own handwriting. *Pro se* litigants shall not use the "s/typed name" format used in the Electronic Case Filing System. In all future filings with this Court, the plaintiff is directed to use letter-sized (8½ inches by 11 inches) paper only, to write or type text on one side of a sheet of paper only, and not to write or type on both sides of any sheet of paper. The plaintiff is further instructed not to write to the edge of the paper, but to maintain one inch margins on the top, bottom, and sides of each paper submitted.

The plaintiff is a *pro se* litigant. The plaintiff's attention is directed to the following important notice:

You are ordered to always keep the Clerk of Court advised in writing (250 East North Street, Room 2300, Greenville, South Carolina 29601) if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If as a result of your failure to comply with this order, you fail to meet a deadline set by this Court, your case may be dismissed for violating this order. Therefore, if you have a change of address before this case is ended, you must comply with this order by immediately advising the Clerk of Court in writing of such change of address and providing the Court with the docket number of all pending cases you have filed with this Court. Your failure to do so will not be excused by the Court.

TO THE CLERK OF COURT:

The Clerk of Court shall mail a copy of this order and the proper form documents to the plaintiff. If the plaintiff fails to provide the items specified above to the Clerk of Court within the period prescribed in this order, the Clerk of Court shall forward the file to the assigned United States District Judge with a recommendation that this matter be dismissed. *See In Re: Procedures in Civil Actions Filed by Non-Prisoner Pro Se Litigants*, C/A No. 3:07-mc-5015-JFA. If, however, the plaintiff provides this Court with the items specified above, the Clerk of Court should forward the file to the assigned Magistrate Judge to determine if service of process should be authorized.

The Clerk of Court shall not enter any change of address submitted by the plaintiff which directs that mail be sent to a person other than the plaintiff unless that person is an attorney admitted to practice before this Court who has entered a formal appearance.

The plaintiff's attention is directed to the important WARNING on the following page.

IT IS SO ORDERED.

s/ Kevin F. McDonald
United States Magistrate Judge

April 5, 2023
Greenville, South Carolina

**IMPORTANT INFORMATION . . . PLEASE READ CAREFULLY
WARNING TO PRO SE PARTY OR NONPARTY FILERS**

ALL DOCUMENTS THAT YOU FILE WITH THE COURT WILL BE AVAILABLE TO THE PUBLIC ON THE INTERNET THROUGH PACER (PUBLIC ACCESS TO COURT ELECTRONIC RECORDS) AND THE COURT'S ELECTRONIC CASE FILING SYSTEM. **CERTAIN PERSONAL IDENTIFYING INFORMATION SHOULD NOT BE INCLUDED IN, OR SHOULD BE REMOVED FROM, ALL DOCUMENTS BEFORE YOU SUBMIT THE DOCUMENTS TO THE COURT FOR FILING.**

Rule 5.2 of the Federal Rules of Civil Procedure provides for privacy protection of electronic or paper filings made with the court. Rule 5.2 applies to **ALL** documents submitted for filing, including pleadings, exhibits to pleadings, discovery responses, and any other document submitted by any party or nonparty for filing. Unless otherwise ordered by the court, a party or nonparty filer should not put certain types of an individual's personal identifying information in documents submitted for filing to any United States District Court. If it is necessary to file a document that already contains personal identifying information, the personal identifying information should be "**blacked out**" or **redacted** prior to submitting the document to the Clerk of Court for filing. A person filing any document containing their own personal identifying information **waives** the protection of Rule 5.2(a) by filing the information without redaction and not under seal.

1. Personal information protected by Rule 5.2(a):

(a) Social Security and Taxpayer identification numbers. If an individual's social security number or a taxpayer identification number must be included in a document, the filer may include only the last four digits of that number.

(b) Names of Minor Children. If the involvement of a minor child must be mentioned, the filer may include only the initials of that child.

(c) Dates of Birth. If an individual's date of birth must be included in a document, the filer may include only the year of birth.

(d) Financial Account Numbers. If financial account numbers are relevant, the filer may include only the last four digits of these numbers.

2. Protection of other sensitive personal information – such as driver's license numbers and alien registration numbers – may be sought under Rule 5.2(d) (filings made under seal) and (e) (protective orders).